

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Shaobing WU and Frank Bor-Her CHEN	Examiner:	not yet assigned
Serial No.:	10/530,975	Group Art Unit:	unknown
Filed:	March 15, 2005	Confirmation No.:	unknown
Docket No.:	160-P-1654USWO		
Title:	<u>SELF-CROSSLINKABLE WATERBORNE COATING COMPOSITION</u>		

PETITION UNDER 37 C.F.R. §1.10(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above identified application (the “Application”) was filed using the USPS Express Mail service on March 15, 2005 and in accordance with the procedures in 37 C.F.R. §1.10. On March 21, 2005 the undersigned attorney’s firm received the return postcard shown in attached Exhibit A. The postcard was stamped to show receipt by the USPTO’s “Legal Staff International Division” on March 18, 2005. Contrary to normal USPTO practice, the postcard was not stamped to show receipt as of the Express Mail “date-in” date and was not stamped to indicate the Application serial number.

Because a filing receipt had not been (and still has not been) received from the USPTO, the undersigned attorney’s assistant attempted, via Private PAIR and phone calls to the USPTO, to determine the Application serial number and filing date. Initially no Private PAIR records were available. The assistant was advised on May 6, 2005 by Ms. Terry Johnson Vessels of the USPTO’s Office of PCT Operations that the Application serial number was 10/530,975 and that it appeared that a March 18, 2005 filing date had been assigned to the Application. Ms. Johnson Vessels asked the assistant to call back in one week when the physical file would be available. The assistant called the following week on May 19th, 2005 and left a message for Ms. Johnson Vessels on her voicemail. The assistant called the

USPTO's PCT Help Desk on May 24, 2005 and was advised by Mr. Paul Bell to await receipt of an expected Notice of Missing Requirements (to require submission of a signed oath or declaration from the inventors) before requesting a correction in the recorded Application filing date. No such Notice has been received.

37 C.F.R. §10(c) permits a person filing correspondence under 37 C.F.R. §1.10 to petition the Commissioner to accord correspondence a filing date as of the USPS Express Mail "date-in" date, but requires that such a petition be filed "**promptly** after the person becomes aware that the Office has accorded, **or will accord**, a filing date other than the USPS deposit date". Private PAIR records (see attached Exhibit B) now show the Application serial number but still do not show a filing date. As a precaution and in the interest of full compliance with the boldface language quoted above, applicants are filing this Petition to request that the Application be accorded a March 15, 2005 filing date.

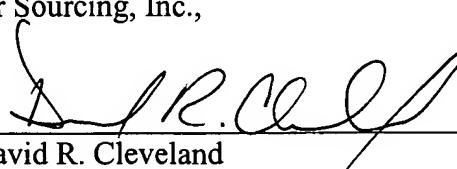
A true copy of the Express Mail mailing label showing the March 15, 2005 "date-in" date and any other official notations by the USPS relied upon to show the date of deposit is shown in attached Exhibit C. The number of the Express Mail mailing label was also placed on the Express Mail Transmittal Letter (see attached Exhibit D) and return postcard accompanying the Application.

If there are any questions regarding this petition, please contact the undersigned attorney.

Date: August 3, 2005

Respectfully submitted on behalf of
Valspar Sourcing, Inc.,

By: _____


David R. Cleveland
Reg. No.: 29,524
IPLM Group, P.A.
Post Office Box 18455
Minneapolis, MN 55418
Telephone (612) 331-7412

The stamp of the U.S. Patent and Trademark Office is shown as acknowledging receipt on the date stamped.

Return Postcard

Express Mail Transmittal Letter

Transmittal Letter to the U.S. Designated/Elected Office

Under 36 USC 371 with 1 duplicate copy of fee sheet

Substitute Specification (27 pgs specification, 27 claims and 1 page Abstract) [33 pgs]

Unexecuted Combined Declaration and Power of Attorney

Information Disclosure Statement with attached PCT/US2003/29715 Search Report

PTO Form 1449

Application Data Sheet

in the application of Shaobing Wu et al., filed on Even Date Herewith for
SELF-CROSSLINKABLE WATERBORNE COATING COMPOSITION

DRC:lkg Docket No.: 160-P-1654USWO

Date: March 15, 2005

Express Mail No.: ED 240260242 US



UNITED STATES POSTAGE U.S. OFFICIAL MAIL
PENALTY FOR
PRIVATE USE \$300

PITNEY BOWES

\$ 00.370

MAR 18 2005

ZIP CODE 22314

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18 MAR 2005

Legal Staff
International Division

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23 USA

Carlsbad Caverns National Park, NM

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Exhibit A



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Search results as of: 8-3-2005::11:27:19 E.T.

Search results for application number: 10/530,975

Application Number:	10/530,975	Customer Number:	23322
Filing or 371(c) Date:	-	Status:	Application Undergoing Preexam Processing
Application Type:	Utility	Status Date:	04-20-2005
Examiner Name:	-	Location:	PCT-CENTRAL FILES 703-921-1282
Group Art Unit:	-	Location Date:	05-13-2005
Confirmation Number:	2269	Earliest Publication No:	-
Attorney Docket Number:	160-P-1654USWO	Earliest Publication Date:	-
Class/ Sub-Class:	-/-	Patent Number:	-
First Named Inventor:	Shaobing Wu, ,	Issue Date of Patent:	-
Title Of Invention:	Self-crosslinkable waterborne coating composition		

Select Search Option

 Continuity Data
 Publication Review

File History

Date	Contents Description
04-15-2005	Initial Exam Team nn

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Exhibit B



Customer Copy

Label 11-B, March 2004



ED 240260242 US

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 55418	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ 12.65
Date Accepted 3/15/05	Scheduled Date of Delivery Month 3 Day 16	Return Receipt Fee \$
Time Accepted 4:30 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Scheduled Time of Delivery <input type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$
Flat Rate <input type="checkbox"/> or Weight lbs. 10 ozs.	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Insurance Fee Total Postage & Fees \$ 12.65
	Int'l Alpha Country Code	Acceptance Emp. Initials KJW

FROM: (PLEASE PRINT) PHONE (612) 331-7400

IPLM Group, P.A.
Broadway Place West, Suite 6600
1300 Godward Street, NE
Minneapolis, MN 55413

160-P-1654USWO

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DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day			
Delivery Attempt	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day			
Delivery Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day			

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct. No.

WAIVER OF SIGNATURE (Domestic Mail Only)
Additional merchandise insurance is void if customer requests waiver of signature.

I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

Federal Agency Acct. No. or
Postal Service Acct. No.

NO DELIVERY
 Weekend Holiday

Maller Signature

TO: (PLEASE PRINT) PHONE (

Mail Stop:PCT
Attn: Office of PCT Legal Admin.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)

2 2 3 1 3 + 1 4 5 0

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

EASTSIDE STATION
MINNEAPOLIS, Minnesota
554189998

2663650418-0098
03/15/2005 (800)275-8777 04:27:50 PM

Sales Receipt			
Product Description	Sale Qty	Unit Price	Final Price

ALEXANDRIA VA 22313 EM PO-Add Flat Rate	\$13.65
Serial Number ED240260242US	
Next Day Noon / Normal	
Delivery	
Customer Postage	-\$13.65
Subtotal:	\$0.00

Total: \$0.00

Paid by:

Bill#: 1000202327473
Clerk: 29

— All sales final on stamps and postage. —
Refunds for guaranteed services only.
Thank you for your business.
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Exhibit C

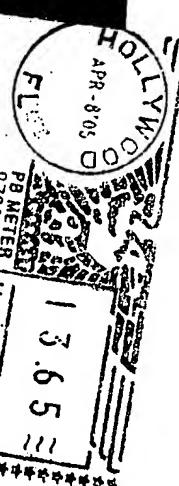
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Label 11-F, April 2004

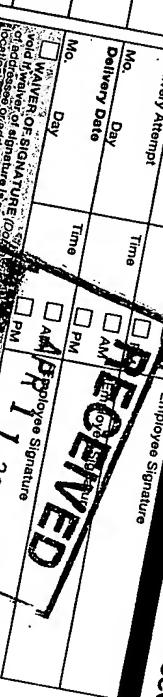
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Delivery Attempt

Post Office To Addressee envelope

ORIGIN (POSTAL SERVICE USE ONLY)	
PO ZIP Code	Day of Delivery
Mo. <input checked="" type="checkbox"/>	Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/> Day
Day <input checked="" type="checkbox"/>	\$
Mo. <input checked="" type="checkbox"/>	Scheduled Date of Delivery
Year <input checked="" type="checkbox"/>	Return Receipt Fee
Time Accepted	
1 <input checked="" type="checkbox"/> AM	\$
1 <input checked="" type="checkbox"/> PM	\$
Flat Rate <input type="checkbox"/> or Weight	COD Fee
lbs. <input type="checkbox"/>	Insurance Fee
METHOD OF PAYMENT ONLY	
Express Mail Corporate Acct. No.	Acceptance Emp. Initials

DELIVERY (POSTAL USE ONLY)	
Mo. <input type="checkbox"/>	Day <input type="checkbox"/>
Day <input type="checkbox"/>	Time <input type="checkbox"/>
Mo. <input type="checkbox"/>	Day <input type="checkbox"/>
Day <input type="checkbox"/>	Time <input type="checkbox"/>
Delivery Attempt	
Mo. <input type="checkbox"/>	Day <input type="checkbox"/>
Day <input type="checkbox"/>	Time <input type="checkbox"/>
Employee Signature	
Mo. <input type="checkbox"/>	Day <input type="checkbox"/>
Day <input type="checkbox"/>	Time <input type="checkbox"/>
Employee Signature	



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1

2

3

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